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THE BRITISH CONSTITUTIONAL MONARCHY AND THE CASE OF ANDREW, FORMER DUKE OF YORK: CONSTITUTIONAL, PEERAGE-LAW AND INTERNATIONAL DIMENSIONS

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SUMMARY

- On 3 November 2025, King Charles III of the United Kingdom, by letters patent, deprived his brother Prince Andrew (Duke of York) of the dignity of "prince" and the style "His Royal Highness" (HRH), and subsequently, by royal warrant, ordered the removal of the title "Duke of York" from the official Roll of the Peerage.
- This step marked the culmination of a gradual public-law and protocol "downgrading" process underway since 2019 in the wake of the Jeffrey Epstein affair, including the 2022 out-of-court settlement and Andrew's withdrawal from public duties.
- Constitutionally, the case sets a precedent in that the Crown, through prerogative instruments, regulated the use of styles, dignities, and titles without parliamentary legislation; nevertheless, the abolition of the dukedom as a legal entity remains a matter for statute, whereas the administrative removal produces immediate protocol-related loss of status and entitlements.

On 3 November 2025, King Charles III of the United Kingdom, by open letters patent, deprived his brother Andrew of the dignity of "prince" and of the style "His Royal Highness" (HRH). A few days earlier, by royal warrant, he had instructed the Lord Chancellor to delete the title "Duke of York" from the official Roll of the Peerage (The Gazette, 2025a; 2025b).

From a constitutional-law perspective, this latest step is also remarkable, in that the Crown has used instruments of the royal prerogative (letters patent and royal warrant) to regulate a question of public and ceremonial status without recourse to primary legislation by the UK Parliament. At a later stage, the "substantive-law" issues associated with deprivation of the title may nonetheless require legislative intervention (House of Commons Library, 2025a; House of Commons Library, 2020).

The developments that culminated in the institutional decision of 3 November 2025 had in fact been unfolding over six years. Since 2019, the progressive dismantling of the public and ceremonial status of Andrew, Duke of York, has taken place in several stages. In the background lies the Jeffrey Epstein affair: in a 2019 television interview Andrew sought to defend himself against allegations concerning his relationship with Epstein, and in February 2022 he settled out of court the civil lawsuit brought in the United States by Virginia Giuffre, the complainant who had come forward publicly, without any admission of liability. The very serious allegations also acquired an international legal dimension when, in November 2025, the United States Congress requested that Andrew Mountbatten-Windsor appear at a hearing in connection with its inquiry into the Epstein network. The affair involving the royal family may thus continue

to have reverberations in the transatlantic political, legal and societal arenas. Following his 2019 interview, Andrew announced that he would withdraw from public duties; in 2022 his military appointments and royal patronages were removed. The formal discontinuation of the HRH style in 2025 brought the reconfiguration of his public and ceremonial status to a close in documentary form. The decision was promulgated through the Crown Office in the official journal, The Gazette (The Gazette, 2025a).

To understand the structure of the constitutional and peerage-law issues at stake, it is useful to distinguish between the royal style (HRH), the dignity of "prince", and the hereditary peerage of "Duke of York". The dignity and the peerage arise and are extinguished by exercises of the royal prerogative; the instrument for this is letters patent. The position is different in the case of the peerage title itself. The dukedom of York is a royal dukedom traditionally granted to the sovereign's second son. It has existed since 1385 and has been created eight times over the centuries, most recently in 1986 for Andrew. Under modern practice, the appropriate route for extinguishing such a peerage would be through legislation. The classic example is the Titles Deprivation Act 1917, which provided for the deprivation of titles held by peers aligned with enemy powers in wartime (legislation.gov.uk, 1917). In the present case the King did not abolish the dukedom of York as a legal entity; instead, by an administrative and registry-based measure (royal warrant and deletion from the Roll), he rendered it non-usable in practice (College of Arms, 2004; House of Commons Library, 2025a). A person removed from the Roll of the Peerage may no longer be styled by the title in official documents, nor allocated a place in ceremonial orders of precedence on that basis. Following the administrative "emptying out" of 2025, the title will cease to be used but will continue to exist in law; its formal extinction would require an Act of Parliament.

The measures taken by Charles in November 2025 had two principal aspects. The letters patent extinguished the royal style and dignity attaching to the person, while the royal warrant detached the person from the peerage in the official state register. Taken together, these instruments have a powerful ceremonial and case-law effect: the member of the royal house is no longer "His Royal Highness" and no longer a "prince", and the title "Duke of York" may not be used, while the legal extinction of the dukedom remains a matter for the legislature. At this point the guidance of the House of Commons notes that removal from the Roll of the Peerage is not equivalent to the legal extinction of the peerage itself. The procedure adopted sits on the boundary of the royal prerogative and thereby creates a constitutional precedent.

From the standpoint of institutional legitimacy, the minimalist intervention chosen by Charles serves a dual purpose: it separates the reputational risk associated with individual responsibility from the standing of the institution as a whole, while avoiding the need for a potentially awkward parliamentary debate. Public opinion data confirm the logic of this "tactic": by late October, Andrew's standing had sunk to a historic low, with 91 per cent of respondents expressing a negative view of Prince Andrew according to polling by YouGov, while the King's decision enjoyed extremely high levels of public support, at around 90 per cent. Over the same period, attitudes towards the monarchy as an institution shifted only marginally: surveys by Ipsos indicate that those favouring abolition of the monarchy remain in the minority (Ipsos, 2025; YouGov, 2025b).

The loss of the peerage and royal dignity entails a series of legal and status-related consequences. In contemporary UK law, deprivation of a peerage primarily results in the loss of rights and status. The individual concerned loses entitlement to the title "Duke of York" and to the associated courtly style of "His Grace", and drops out of the ceremonial order of precedence. He is no longer to be listed in the Roll of the Peerage, and inheritance of the title is brought to an end: it can no longer descend to a male heir, and his

descendants are barred from using the associated courtesy titles. In heraldic terms, he loses the right to the coronet and supporters appropriate to a peer, and his rank will no longer appear on visiting cards, official invitations or other documents. The parliamentary implications of losing a hereditary title are today limited, since, following the reform of 1999, hereditary peers no longer have an automatic right to sit in the House of Lords. Without a title, Andrew would in any event be unable to stand in the internal by-elections for the remaining hereditary seats. Beyond this, he loses all ceremonial entitlements attached to the peerage (for example, participation by right in coronation ceremonies or in certain court and ecclesiastical events). Historic privileges, such as immunity from arrest in civil proceedings, have long been abolished and are therefore of no practical relevance today.

The loss of the royal dukedom, by contrast, does not concern a "parliamentary dignity" but a court and dynastic status, and its effects are administrative and ceremonial in character. The right to bear the title of "prince" and to use the style "His Royal Highness" is extinguished, and with it his position in the internal and national orders of precedence is downgraded or disappears. The honorary military appointments and royal patronages associated with the title are removed, and he is no longer entitled to the official duties and representational functions attached to the status of a working member of the royal family. Andrew will not be entitled to public funds as of right, since the Sovereign Grant is an institutional framework for funding the royal household, not a personal entitlement. He has not received payments from it since his withdrawal from public life in 2019 (the last publicly available figure dates from 2010, when he received £249,000). He will remain entitled to an annual military pension of around £20,000 and, from 2026, to state pension payments of around £9,000, whereas the cost of providing for his personal security is estimated at around £3 million per year (Guardian, 2025; ITV News, 2025; Yahoo Finance, 2025). The heraldic arrangements will also change: the right to use the coronet of a royal duke and other such emblems will cease. The line of succession is unaffected by the loss of the dukedom, as it is governed by statute. While any statutory functions that might in theory be assigned do not derive their legal basis from the style alone, it is highly unlikely that the sovereign would entrust Andrew with official duties in the absence of a royal dukedom.

The case also raises family and succession issues associated with the institution of constitutional monarchy. The key point of reference here is the letters patent issued by George V in 1917, which restricted the dignity of "prince" or "princess" and the style "His/Her Royal Highness" to a narrow circle: the children of the sovereign, the male-line grandchildren of the sovereign, and one special exception (the eldest son of the eldest son of the Prince of Wales). On this basis, Andrew's daughters, Beatrice and Eugenie, as male-line granddaughters, have been entitled since birth to the style HRH and the dignity of "Princess". Andrew's change of status in November 2025 does not affect their position, as their dignities and styles do not derive from his personal status (House of Commons Library, 2020).

From the standpoint of international law, it is relevant that the proceedings involving Andrew in the United States took the form of a civil lawsuit. The case concluded with a settlement in February 2022, without any admission of liability, and in March the parties jointly requested dismissal of the claim (Royal.uk, 2019; Reuters, 2022a; CourtListener, 2022). A 2022 statement by the UK Government stressed that Andrew had defended the case as a private individual, so that questions of sovereign or state immunity did not arise. The settlement and the ensuing intensification of political pressure in the United States belong to the realm of public policy rather than that of international law: there is no extradition request, no mutual legal assistance in criminal matters and no inter-state dispute. The sovereign addressed the external

reputational risk by means of internal constitutional instruments. The congressional request of November 2025 is a political act devoid of binding legal force (U.S. House Oversight Democrats, 2025).

Throughout these years, particular attention has been paid to the treatment of Andrew's military ranks and honours. In 2022, he lost all his honorary military appointments, but retained his decorations. Decorations linked to actual combat service (for example, honours earned during the Falklands War) are not generally regarded by public opinion as belonging to the same category as dignity, style or title (Buckingham Palace/Reuters, 2022; The Guardian, 2025b). The public has been markedly more sensitive and cautious in its attitudes towards the latter, and Charles did not remove these decorations in November 2025.

From a constitutional perspective, the letters patent and the royal warrant may be seen as cautious measures grounded in precedent. By exercising the royal prerogative, the Crown's response has been rapid, coherent and proportionate: the integrity of the monarchy as a public institution has been preserved, while the "hard" questions of peerage law have been kept outside the legislative arena. The sequence of developments from 2019 to 2025 thus also offers a constitutional case study in how a symbolic-legal institution can address a twenty-first-century reputational crisis with targeted and temporally calibrated instruments, without destabilising the balance between the branches of government.

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